

VICTOR SANTIAGO,)
)
 Plaintiff,)
)
 vs.) Case No. 4:09CV933 HEA
)
 DANIEL BLAIR, et al.,)
)
 Defendants.)
)

This matter is before the Court on Plaintiff’s “Request for Service of Process,” [Doc. No. 12], which the Court construes as a Motion for Issuance of Summons to Defendant John Doe. Under the current state of Plaintiff’s Motion, the Court is unable to issue summons. Plaintiff has failed to provide the Court with Defendant’s name such that service on the proper individual can be effectuated. The Motion is therefore denied. Plaintiff is given leave to provide the Court with Defendant Doe’s proper name and address within 30 days from the date of this Order. Failure to provide a proper name and address for Defendant Doe will result in dismissal without prejudice of Defendant Doe pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. In the event that Plaintiff is unable to ascertain Defendant Doe’s proper name within said time, the Court may entertain a later

motion to amend by Plaintiff if and when Plaintiff ascertains same.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Plaintiff's "Request for Service of Process," [Doc. No. 12], is **Denied**.

IT IS FURTHER ORDERED that Plaintiff is given 30 days from the date of this Order to provide the Court with the proper name and address of Defendant John Doe. Failure to comply will result in dismissal without prejudice of Defendant John Doe.

IT IS FURTHER ORDERED that if Plaintiff cannot ascertain the proper name and address for Defendant Doe within the allotted time period, but is able to so ascertain at a later date, the Court will look favorable upon a Motion to Amend filed by Plaintiff at that time.

Dated this 15th day of October, 2009.

A handwritten signature in cursive script, reading "Henry Edward Autrey", written in black ink.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE